

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

CONGHUA YAN

VS.

THE STATE BAR OF TEXAS, ET AL.

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§

CIVIL ACTION NO. 4:23-CV-758-P

FINDINGS, CONCLUSIONS, AND RECOMMENDATION
REGARDING PLAINTIFF'S MOTION FOR SANCTIONS TO COUNSEL OF THE
STATE BAR OF TEXAS, MARIN, MARTINEZ, AND CRAIG AND PLAINTIFF'S
MOTION FOR SANCTIONS TO COUNSEL MELVIN KEITH OGLE

Pending before the Court are two motions for sanctions filed by *pro-se* Plaintiff Conghua Yan: (1) Motion for Sanctions to Counsel of the State Bar of Texas, Marin, Martinez and Craig [doc. 22], filed August 18, 2023 and (2) Motion for Sanctions to Counsel Melvin Keith Ogle [doc. 33], filed August 30, 2023. Having carefully considered the motions, responses, and reply,¹ the Court finds, concludes, and **RECOMMENDS** that both motions for sanctions [docs. 22, 33] be **DENIED** for the reasons stated in Defendants' responses.

NOTICE OF RIGHT TO OBJECT TO PROPOSED
FINDINGS, CONCLUSIONS AND RECOMMENDATION
AND CONSEQUENCES OF FAILURE TO OBJECT

Under 28 U.S.C. § 636(b)(1), each party to this action has the right to serve and file specific written objections in the United States District Court to the United States Magistrate Judge's proposed findings, conclusions and recommendation within fourteen (14) days after the party has been served with a copy of this document. The United States District Judge need only make a *de novo* determination of those portions of the United States Magistrate Judge's proposed findings, conclusions and recommendation to which specific objection is timely made. *See* 28 U.S.C. §

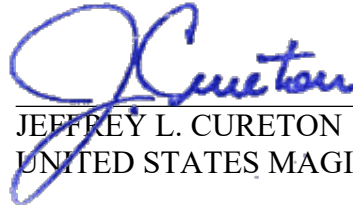
¹ The reply [doc. 38] was filed by Plaintiff on August 30, 2023 to his Motion for Sanctions to Counsel Melvin Keith Ogle.

636(b)(1). Failure to file, by the date stated above, a specific written objection to a proposed factual finding or legal conclusion will bar a party, except upon grounds of plain error or manifest injustice, from attacking on appeal any such proposed factual findings and legal conclusions accepted by the United States District Judge. *See Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

ORDER

Under 28 U.S.C. § 636, it is hereby **ORDERED** that each party is granted until **September 14, 2023** to serve and file written objections to the United States Magistrate Judge's proposed findings, conclusions and recommendation. It is further **ORDERED** that if objections are filed and the opposing party chooses to file a response, the response shall be filed within seven (7) days of the filing date of the objections.

SIGNED August 31, 2023.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE

JLC/knv